

REMARKS

Reconsideration of this application based on the foregoing Amendment and the following Remarks is respectfully requested.

This is a non-final second Office Action following our response filed on November 20, 2003 to the first Office Action of August 18, 2003 following the Request for Continued Examination on July 22, 2003. The Examiner has identified new grounds of rejection.

Allowable Subject Matter

In the first Office Action of August 18, 2003, the Examiner identified claims 5, 6, 8, 9, 13-16, 20-23, 34-58, 64, 65, 72, 76-79 and 81-139 as being allowed. Claims 69 and 142 were objected to. Therefore, claims 67, 68, 70, 140, 141 and 143-145 were rejected.

In the instant non-final second Office Action of March 4, 2004, the Examiner has identified claims 5, 6, 8, 9, 13-16, 20-23, 34-58, 64, 65, 72, 76-79, 81-139, 141 and 142 as being allowed. Claims 69 and 142 are no longer objected to. However, claim 69 is now included with the rejected claims 67-70, 144 and 145.

Therefore, as compared to the first Office Action of August 18, 2003, the Examiner has also allowed claims 141 and 142, but has rejected claim 69. However, the Examiner again states that claim 69 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims.

Claims 5, 6, 8, 9, 13-16, 20-23, 34-58, 64, 65, 67-70, 72, 76-79, 81-139, 141, 142, 144 and 145 are pending in the application.

In response, the applicant has taken the following actions. First, the applicant has cancelled claim 67 without prejudice. The applicant has not abandoned the subject matter of cancelled claim 67 and reserves the right to file a continuation application directed thereto.

Second, the applicant has rewritten claim 69 into independent form including all of the limitations of the base claim 67. Claim 69 includes a limitation necessitated by the Examiner's objection to and rejection of claim 67, which are discussed below.

Third, the applicant has changed the dependency of claims 68, 70, 144 and 145 from cancelled claim 67 to now independent claim 69.

Objection: Specification

The Examiner has objected to the specification as follows: With respect to FIGS. 23A and 23B, the Examiner asserts that light is not reflected but rather refracted, at least at interfaces between at least layers 46, 47 & 38. The Examiner states that however, on page 30, line 26, the term "reflection" and on page 31, lines 10 and 13, the term "reflected" appear to be misused, since refraction is occurring rather than reflection.

In response, the applicant has made appropriate changes to pages 30 and 31 as required by the Examiner. Consequently, the applicant respectfully requests that the Examiner withdraw the objections to the specification.

Objection: Claim 67

The Examiner objects to claim 67, line 4, because of an informality. The phrase that includes “(a) forming said and (b) forming a light-permeable expander....” appears to be lacking a step limitation after “said” or at least missing any indication of a deletion.

In response, the applicants respectfully call to the Examiner’s attention that in the Response filed on July 22, 2003, the applicant correctly included the following limitation in claim 67, as underlined:

--(a) forming said electroluminescence device on an end surface of said optical conductor and (b) forming a light-permeable expander...--.

The underlined portion was unintentionally omitted in the response filed on November 20, 2003. No reference was made in the Remarks section to any intentional deletion. To respond to the objection, the applicant has cancelled claim 67 and has reinstated the subject limitation into rewritten independent claim 69.

35 U.S.C. 112, Second Paragraph Rejections: Claims 67-70, 144 and 145

The Examiner has rejected claims 67-70, 144 and 145 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

The Examiner states that the limitation “said end surface” in claims 67, 144 and 145 has no antecedent basis.

As noted with respect to the objection to claim 67, the applicant maintains that the Examiner’s rejection has arisen from the unintentional omission from claim 67 of the limitation of --(a) forming said electroluminescence device on an end

surface of said optical conductor and (b) forming a light-permeable expander...--.

In response, the applicant has cancelled claim 67 and has included the subject limitation into rewritten allowable claim 69.

35 U.S.C. 102(b) Rejections: Claims 67 and 144

The Examiner has rejected claims 67 and 144 under 35 U.S.C. 102(b) as being anticipated by PARKER et al (US 5,618,096 - filed November 20, 1995 - issued April 8, 1997).

In response, the applicant calls to the Examiner's attention that claim 67 has been cancelled without prejudice. Claim 144 has been amended to change the dependency from cancelled claim 67 to now independent allowable claim 69.

Consequently, the applicant respectfully requests that the Examiner withdraw the rejection of claim 144 over the prior art.

35 U.S.C. 103(b) Rejections: Claims 68 and 70

The Examiner now has rejected claims 68 and 70 under 35 U.S.C. 103(a) allegedly as being unpatentable over PARKER et al in view of REDMOND et al (US 5,664,862 - filed August 9, 1996 - issued September 9, 1997).

In response, the applicant calls to the Examiner's attention that claims 68 and 70 have each been amended to change the dependency from cancelled claim 67 to now independent claim 69.

Consequently, the applicant respectfully requests that the Examiner withdraw the rejection of claims 68 and 70 over the prior art.

35 U.S.C. 103(b) Rejection: Claim 145

The Examiner now has rejected claim 145 under 35 U.S.C. 103(a) as being

unpatentable over PARKER et al in view of TIAO et al (US 6,254,246 B1 - filed October 1, 1999 - issued July 3, 2001).

In response, the applicant calls to the Examiner's attention that claim 145 has been amended to change the dependency from cancelled claim 67 to now independent claim 69.

Consequently, the applicant respectfully requests that the Examiner withdraw the rejection of claims 68 and 70 over the prior art.

Reconsideration of this application based on the foregoing Amendment and Remarks is respectfully requested. The foregoing Amendment and Remarks establish the patentable nature of all of the claims rejected or objected to remaining in the application, i.e., claims 68-70 and 144-145. Claims 5, 6, 8, 9, 13-16, 20-23, 34-58, 64, 65, 72, 76-79, 81-139, 141 and 142 are allowed. Allowable claim 69 has been rewritten into independent form. No new matter has been added. Wherefore, early and favorable reconsideration and issuance of a Notice of Allowance are respectfully requested.

Respectfully submitted,



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